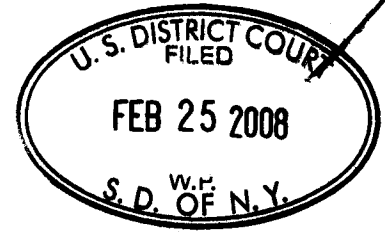


**,UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Steven Bello, As Administrator of the Goods,  
Chattels and Credits of Christopher Robert  
Bello, Deceased,



**07 CV 2931 (KMK)(GAY)**

Plaintiff,  
-Against-

**JUDGMENT**

CSX Corporation, CSX Transportation,  
Inc., Dwight Neilsen and Gary Kingman,  
Defendants.

Whereas the above entitled action having been assigned to the Honorable Kenneth M. Karas, U.S.D.J., and the court thereafter on February 20, 2008, having handed down its order accepting Magistrate Judge Yanthis, U.S.M.J. Report and Recommendation dated September 11, 2007, (document #16) that Plaintiff's Motion to Remand be granted on the ground that there is a lack of complete diversity among the Parties, it is,

**ORDERED, ADJUDGED and DECREED:** That the courts adopts Magistrate Judge Yanthis' recommendation that Plaintiff's Motion to Remand be granted on the ground that there is a lack of complete diversity among the Parties. Ordered that the Report and Recommendation dated September 11, 2007, is ADOPTED in its entirety. It is further ORDERED that Plaintiff's Motion to Remand is GRANTED. It is further ORDERD that this case is hereby closed.

Dated: White Plains, New York  
February 25, 2008

i:/judgment/bello.931

*J. Michael McMahon*  
Clerk

*E.O.D.*